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7 CHARLES RESTIVO,
8 Plaintiff,
9 v.
10 COGSWELL COLLEGE, LLC, et al.,
11 Defendants.

Case No. 23-cv-01548-PCP

**ORDER VACATING CASE
MANAGEMENT CONFERENCE AND
DENYING MOTION TO DISMISS
WITHOUT PREJUDICE**

Re: Dkt. Nos. 10, 35

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13 The Case Management Conference set for January 23, 2024 is vacated pursuant to the
14 parties' stipulation, Dkt. No. 35. Given the parties' upcoming further settlement conference,
15 defendants' motion to dismiss (which was filed in April 2023 and was never renoted after the
16 original hearing was vacated upon reassignment of the matter in August 2023), Dkt. No. 10, is
17 denied without prejudice. Defendants may renote the motion for hearing following the
18 settlement conference, and no further briefing in support of or opposition to the motion will be
19 required. The parties shall submit a further Joint Case Management Statement by April 18, 2024
20 setting forth the status of their settlement discussions and, if necessary, their proposed case
21 schedule and any anticipated motions.

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23 **IT IS SO ORDERED.**

24 Dated: January 9, 2024

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P. Casey Pitts
United States District Judge